

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LANIER DAVENPORT

PLAINTIFF

VS.

NO. 4:02CV5-P-A

NAGUCHI TRADING COMPANY, INC. et al,

DEFENDANTS

ORDER DISMISSING CASE

Upon consideration of the file and record of this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated February 23, 2006, was on that date duly served by regular mail upon the *pro se* plaintiffs and defendants at their last known addresses, that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated February 23, 2006, is approved and adopted as the opinion of the Court;
2. That all of the claims of the plaintiff are hereby dismissed with prejudice pursuant to F.R.C.P. 41(b); and
3. That the Clerk shall forthwith **CLOSE** this case.

THIS, the 10th day of March, 2006.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE